

#19
2/26/04
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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DEC 22 2003

GROUP 3500

Applicant : Dah Ben Liang, et al.
Applicant No. : 09/637,764 (Reissue of U.S. Patent No. 5,791,422)
Filed : August 10, 2000
Title : ROCK BIT WITH HARD-FACING MATERIAL INCORPORATING
SPHERICAL CAST CARBIDE PARTICLES
Docket No. : 36912/CM/S61

SUBSTITUTE DECLARATION FOR REISSUE PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
September 4, 2003

Commissioner:

As a below named inventor, I hereby declare that my residence and post office address is listed below, I am a citizen of the United States of America, and I believe I am an original, first and joint inventor of the subject matter described and claimed in U.S. Patent No. 5,791,422 (the "422 Patent"), issued on August 11, 1998, for which a reissue patent is sought on the invention entitled ROCK BIT WITH HARDFACING MATERIAL INCORPORATING SPHERICAL CAST CARBIDE PARTICLES, the specification of which is attached hereto. The application for the '422 Patent was filed on March 12, 1997, as Application Serial No. 08/815,745 (the "'745 Application").

I acknowledge the duty to disclose information known to me to be material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I believe that the '422 Patent is partially inoperative because none of the claims in the '422 Patent are directed to a rock bit comprising a cutting cone having a number of teeth which include a hardfacing comprising spherical cast tungsten carbide particles having particle sizes between about 16 mesh to less than 40 mesh. The novelty of this aspect of my invention was erroneously overlooked, as I did not appreciate the full scope of the invention being claimed at

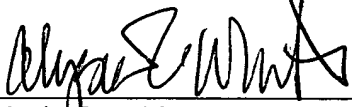
Application No. 09/637,764

the time the '745 Application was filed and during its prosecution. My failure to recognize the full scope of the invention being claimed was inadvertent as is evidenced by the fact that although this novel feature was described in the specification of the '745 Application, it was not broadly claimed. As a result of this failure, I claimed less than I had a right to claim in the '422 Patent. This error arose without any deceptive intention on my part. Furthermore, all errors not covered by my earlier submitted Declarations arose without any deceptive intent on my part.

I hereby state that I have reviewed and understand the content of the above-identified application, including the original claims 1-27, the amendments made to claims 1, 4, 7-9, 12, 16-20, 23, 24 and 27 and the added claims 28, 29, 31-33, 35-37 and 39-41.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the reissue application or any patent issuing thereon.

Dated: 9/11/03


Alysia C. White
4607 Lake Village Drive
Fulshear, Texas 77441

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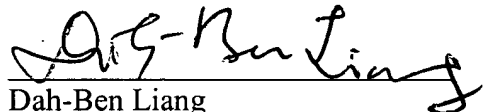
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Dated: _____

9/11/03



Dah-Ben Liang
27 Rustic View Court
The Woodlands, Texas 77381

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Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
September 4, 2003

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Dated: Sept 28, 2003


Linjen Albert Sue
22 South Dragonwood Place
The Woodlands, Texas 77381

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
November 3, 2003

Commissioner:

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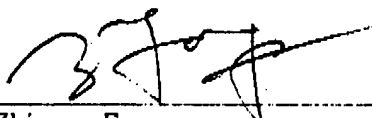
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Dated: _____

11/26/03

Zhigang Fang
6718 South Aqua Vista Cove
Salt Lake City, Utah 84121

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